

REMARKS/ARGUMENTS:

This Amendment is in response to an Office Action mailed 06/22/04. By this amendment, Claim 4 has been amended and Claims 17- 50 have been added. Claims 1-3 and 5-16 remain as before. Additionally, a terminal disclaimer is being proffered herewith to obviate the obviousness-type double patenting rejection.

The amendment to Claim 4 broadens the language of the claim by including the term "pig". Dependent Claims 17 and 18 have been added to define directions in which the tapering of the membrane occurs. No new matter is being added by way of these Amendments. Antecedent basis can be found, for example, on page 17, lines 14-19, page 18, lines 11-12, and page 18, lines 13-16. Furthermore page 18 (paragraph starting on line 13) has been amended to provide clear basis for this language.

New independent Claim 19 has been amended to state that the pathway is created in a mammal. No new matter is being added by way of this Amendment. Antecedent basis can be found, for example, in page 1, line 23 of the specification. Claim 20 has been added to specify that the mammal is a human. Antecedent basis can be found, for example, in page 20, line 9 that refers to application of the present invention with a patient.

Independent Claims 21 and 32 have been added to provide more structure than previously submitted claims for this case. No new matter is being added by way of these Amendments. To provide clarity regarding the terminology used certain language has been added in the Specification.

Dependent claims 22-23 and 33-34 emulate claims 17 and 18.

Dependent claims 24-28 have been added regarding potential applications of this technology. Antecedent basis for these limitations can be found in page 20, lines 5-12.

Claim 29 describes how the membrane is unfolded. Basis for the language in Claim 29 can be found, for example, in page 20, lines 1-4.

Basis for the language in Claims 30 and 31 can be found, for example, on page 12, lines 4-14.

Claim 32 is directed to a catheter. It has similar limitations as those in method Claim 21.

The above-discussion regarding certain dependent claims applies equally with respect to claims 33-42. Basis for the language in Claim 34 can be found, for example, in page 10, second line.

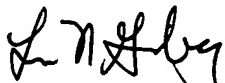
Claim 44 has language similar to Claim 21 but is directed to an animal. The limitations in Claims 45 and 46 have been discussed above. Claim 47 has language similar to Claim 32 but is directed to an animal. The limitations in Claims 48 and 49 have been discussed above.

Claim 50 is directed to the container assembly discussed in relation to Figures 16A and 16B. This can be found in page 19, lines 6-11 of the specification.

In view of the foregoing Amendment and remarks, it is respectfully urged that all pending claims are in condition for allowance, and such action as well as passage of this case to issue is respectfully requested.

If the Examiner has any further questions, or believes that a telephone interview would be helpful to the advancement of the prosecution of the subject application, a telephone call to the undersigned would be appreciated.

Respectfully submitted,



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